

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**May 9, 2016**

**7:00 p.m.**

Present: Debbie Tomusko  
Kathy Pucci  
Mary Albier  
Kevin Tanski  
Barb Paulitzky  
Ron Van Kirk  
Tony DeMarco

Absent: None

Pledge of Allegiance.

#### **APPROVAL OF MINUTES:**

**MOTION** by Tanski, second by Van Kirk to approve the minutes of April 11, 2016. **VOTE RESULTED:** Yes: Tomusko, Albier, Tanski, Paulitzky, Van Kirk, DeMarco. Abstain: Pucci (did not have chance to read). No: None. **(APPROVED)**

Int. Pres. Van Kirk said we have a Resolution to honor Mr. Changeri, he asked for his family to come to the podium with him. **RESOLUTION #2016-3**, Expressing the sympathy of the Council and the Mayor of the City of Brooklyn to the family of the late Louis Changeri. Whereas, "Lou" Changeri was a model citizen-servant, dedicating his time and many talents to important community engagements such as the Brooklyn Community Reinvestment Council, Brooklyn CERT, the Brooklyn Master Plan Advisory Committee, his beloved parish, St. Thomas More, and many other civic, neighborhood and religious initiatives and endeavors; and Whereas, Lou was a proud veteran, former Scoutmaster, former owner of a Brooklyn business, and took exceptional pride and dedication for 12 years as a school guard, protecting our community's children daily; and Whereas, until his untimely passing on April 16, 2016, Lou, through hard work and his dedication to the welfare of his community and neighbors, was instrumental in keeping the City of Brooklyn a vibrant, pleasant and enjoyable place to live, rarely missing a Finance or City Council meeting; and Whereas, this Council and the Mayor now wish to honor the memory of Lou Changeri for his significant contribution to the welfare of his city in an appropriate fashion and to extend condolences to his family. Now, therefore, be it Resolved by the Council of the City of Brooklyn, County of Cuyahoga and State of Ohio: Section 1. That Brooklyn City Council and the Mayor honor the memory of the late Louis Changeri and extend their deepest sympathies to his wife, Fran, their three sons, Lou, Mike and Tony, and their grandchildren, Michael, Hannah and Jonathan, on the loss of their cherished husband, father and grandfather. Section 2. That a copy of this Memorial Resolution is hereby presented to his wife, Fran, and his family, as an expression of sympathy and appreciation from the Mayor and Brooklyn City Council on behalf of all the citizens of Brooklyn. Sorry for your loss.

**MOTION** by Van Kirk, second by Pucci to suspend the rules. **VOTE RESULTED:** *Suspend the rules:* Yes: Tomusko, Pucci, Albier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. *Adopt:* Yes: Tomusko, Pucci, Albier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(ADOPTED)**

Int. President Van Kirk thanked Mrs. Changeri, Mike and family for being here, and expressed sympathy for their loss. For tonight's meeting: confirmation of an appointment for the UH Parma Hospital Medical Center Bd. of Trustees; two liquor permits; a request to authorize a grant application for the Police Dept., and one to approve a Change Order for 2016 streets program; Ord. 2015-77 is still in abeyance, for full-time Econ. Dev. Director; Ord. 2016-27 (3<sup>rd</sup> Read/Adopt), issuance and sale of \$356,496 in notes; Ord. 2016-28 (3<sup>rd</sup> Read/Adopt), issuance and sale of \$303,504 in notes; Ord. 2016-31, establishing Sect. 1360.32, Foreclosing filing notification of the Brooklyn Codified Ordinances; Ord. 2016-32, Establish Chapter 1362, Certificate of inspection at Point of Sale, and amending Sect. 1360.24, Repair of code violations of Brooklyn Codified Ordinances; Ord. 2016-37 (2<sup>nd</sup> Reading), establishing Sect. 1360.33 Vacant Property Registration of the Codified Ordinances; Ord. 2016-38 (2<sup>nd</sup> Reading), establishing position of part-time Inspector within Bldg. Dept., and repealing position of Electrical Inspector; Ord. 2016-39 (2<sup>nd</sup> Reading), amend Ex. A of 2016-

13, compensation of part and full-time administrative employees (non-bargaining); Ord. 2016-40 (1<sup>st</sup> Reading), authorizing inter-fund transfers and advances; Ord. 2016-41 (1<sup>st</sup> Reading), authorize purchase and installation of carpeting at Community-Senior Center for \$39,778.60; Ord. 2016-42 (1<sup>st</sup> Reading), authorize purchase of 35 TASER weapons and accessories for the Police Dept. for \$36,010.19; Ord. 2016-43 (1<sup>st</sup> Reading), repeal Sect. 1501.06 Fire Safety Watch of Codified Ords. of Brooklyn; Ord. 2016-44 (1<sup>st</sup> Reading), amend Ch. 713 Public Social Functions of Codified Ords. of Brooklyn; executive session at conclusion of meeting.

#### **PUBLIC SESSION:**

*Joanna Viancourt* of 4660 Century Circle said she has a lot of problems with the city, especially with her circle on her street. She's asked for it to be fixed, besides adding mulch as had been done. This should look better. She spoke about her pain and sorrow from her Christmas Eve fire 15 years ago. She (mistakenly) thought all the doors were locked at the handicapped entrances. Int. Pres. Van Kirk said it would be checked into.

*Robert Viancourt* of 4660 Century Circle agreed that the circle on their street is nasty looking, and would take some time for some flowers go in, other than just mulch. It needs renovating. A former Director suggested cementing it in, but they would not like that.

#### **REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:**

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30 and recommended: to authorize the Police Dept. to apply for a Dept. of Justice Cops Hiring grant (provides 75% funding for an officer up to \$125,000 – and if secured must keep the officer for four years); a Changer Order to streets program (for unidentified conditions during assessment – for additional \$215,000 – making the adjusted contract for these streets to \$549,612); Ords. 2016-27 and -28, (for adoption) for sale of notes (she reviewed the schedule with retiring the bond in anticipation notes on June 9); Ord. 2016-32, for Certificate of Inspection at Point of Sale (Law Dir. Butler shared some recent court action relating to rental licensing and point of sale inspections) so wait on this to see how resolved in the courts; new Ord. 2016-40, inter-fund transfers and advances in 2016 (reviewed the three transfers); Ord. 2016-41 (1<sup>st</sup> Read), authorize purchase/installation of carpeting for Comm-Sr. Center for \$39,778.60; Ord. 2016-42 (1<sup>st</sup> Read), for the purchase of 35 TASERS and accessories for the Police Dept. for \$36,010.19; Ord. 2016-43 (1<sup>st</sup> Read), repeals Codified Ord. Sect. 1501.06, Fire Safety Watch (incorporating into existing and amending legislation to combine for Police and Fire into one); Ord. 2016-44 (1<sup>st</sup> Read), amends Ch. 713 Public Social Functions.

Economic Development Committee (Councilwoman Pucci): As of late last week anticipating a possible meeting for Wednesday, May 11<sup>th</sup>, but hasn't heard more so doesn't think they are meeting.

Public Safety & Environmental Committee (Councilwoman Tomusko): There is a Comm. mtg. Thursday, May 12<sup>th</sup> at 4:30 in the Conference Room, part of discussion she is seeking public input on is the idea of allowing dogs in Memorial Park (meeting is open to everyone, or contact her with thoughts prior).

Recreation Board (Councilman Tanski): Learn to swim sessions starts June 13 -- Aug. 10; contact the Rec Center at 216-351-5334. Swim team begins June 7 – Aug. 6; contact Nicole at 216-316-2436 for more info. Registration for all sessions and swim team begins May 16. Learn to skate sessions begins June 7 – July 28; info at Rec Center. Brooklyn Summer Camp 2016 will be held at the Brooklyn Elementary School on Biddulph, ages 5 through 12; costs for residents, \$275; STM, Heritage Christian, Parma Hts., and corporate is \$345). Register has begun already through June 1. More info from Camp Brooklyn Director Rebecca Byndas at [daycamp@brooklynohio.gov](mailto:daycamp@brooklynohio.gov) or 216-351-5334. The next Board meeting is Monday, May 16<sup>th</sup> at 7 p.m. in the Rec Center meeting room.

Board of Zoning Appeals (Comm. Kulcsar): The Comm. will meet Thursday, May 19<sup>th</sup> at 6 p.m. in the Conference Room of City Hall for a request from James Haberek to install a portable accessory building at 6610 Vandalia.

Planning Commission (Councilwoman Pucci): The Comm. met May 5<sup>th</sup> for two items: request from 4476 Ridge Road Holdings LLC (dba Loving Cup Kids Academy) for site plan and design approval to construct an addition to existing location (for an expired 2013 request, it was re-approved, and clarified the addition would blend in and be aesthetically pleasing); request from Ellis Architects for site plan approval for parking lot expansion and site improvements at 4630 Ridge (former Ridge Manor, now Agostino's), deferred from July 20, 2015 and Oct. 1, 2015 meetings. There was lengthy discussion resulting in deferring it to the next meeting, provided they can provide the Bldg. Comm. and Planning Comm. with all info as to the plans. There are outstanding issues for some time, causing frustration for the city and Bldg. Dept. The next meeting is June 2<sup>nd</sup> at 6 p.m. in the Conference Room at City Hall.

Public Works Committee (Councilman DeMarco): The Comm. met at 6 p.m. today at the Mayor's request to considering increasing the street repair program for West Biddulph (that runs into the Plain Dealer property), and significant changes to this year's approved street program of \$215,000. It was all reviewed, and the Comm. recommended Finance approve the Change Order to the current program (Brookhigh Dr. was found to have unanticipated sewer work for \$90,300). Total Change Order recommended is for \$215,000 – the original appropriation was \$927,000. This increase takes our 2016 street repair program to \$1,142,000 (a 23% increase). It's a substantial investment in our streets. It was also found out that the city is responsible for the first 400' of Hurricane Alley off Ridge, and that estimate is \$129,200; West Biddulph estimate is \$117,600. The Comm. recommended looking at those as part of the 2017 budget process.

School Board Liaison (Councilman Van Kirk): The Board met for a special mtg. on May 4<sup>th</sup>. Finances were discussed, with the school facing continuing increasing expenses (from \$16M to under \$19M in 20120, mostly due to personnel services and employment retirement insurance benefits), yet decreasing revenues (due to phasing out of commercial tangible property tax reimbursement). To help close the gap they are looking at many things: negotiations with the BEA and Teamsters, increasing awareness with State Legislators on unfair and negative impacts from the budget, personnel cuts, non-personnel costs, energy savings, increasing revenue through scholarship programs, Hurricane Alley land, district open enrollment, and possibly additional renewal or emergency levy. Residents need to be aware of financial difficulties the school is facing. The next meeting is Tues., May 17<sup>th</sup> at 6 p.m.

### **REPORTS OF COUNCIL:**

**Debbie Tomusko:** The Mayor sends Council her weekly director meeting minutes, and she mentioned to the Mayor she'd like to hear more from directors at Council meetings; so the Mayor asked directors to make reports if they have anything. It's a struggle for the best way to communicate with citizens; people come to meetings, we're getting the last cable station going, postings at Library and Senior Center. The more the better. She thinks the directors can share what they know in the city, with those who don't know; she hopes they didn't get upset with her suggestion for more participation. Also to be discussed at the Safety Comm. mtg. is the current situation of the police station, and though it's been discussed for quite awhile, will take it up again. She also asks for input from the community on what the Public Safety & Environmental Committee can discuss, and if anyone wants to discuss even Fire and Police to let her know to add to future meetings. Wanted to add that she's a serious dog lover, and can be seen walking her dog; HB 166 proposes stopping puppy mills in the State. When she bought her dog, she did searching for and researching in Amish country, and auctions, and it is terrible what goes on (though not just in Ohio) and horrible conditions. The practice needs to be stopped in Ohio. The dogs go to auctions and to pet stores. She asks people to contact their State Senator to stop this practice.

**Kathy Pucci:** On Saturday the Safe Routes to School had its annual bike rodeo at Ridge Park Square (she was out of town and missed). It was another successful event, and thanked Suzie Marquis and the Safe Routes team, volunteers, city personnel who help, and Ridge Park Square for hosting it; it's much appreciated in the community. The Big Creek Cleanup is Saturday, June 4<sup>th</sup> from 9a-12noon, with our site behind the Fire Station. Volunteers are always needed. Welcomed the Changeri family, and Council meetings will not be the same without Mr. Changeri. Some very nice things were said about Lou the last couple meetings, and she asks Mary-Jo to transcribe them verbatim and provide a copy to the family. Extended her sympathy and prayers. Regarding the handicapped access, this is the second time she's seen someone struggle to get upstairs due to confusion. Can we put a sign by the handicapped entrance that the

after-hours handicapped entrance is in the front by the old fire station, because that will be the unlocked door. She hopes everyone had an enjoyable Mother's Day weekend.

**Mary Albier:** Expressed her sympathy to the Changeri family. It will be difficult looking out in the audience and not seeing Lou. Agree or not, he voiced his opinion; and he was kind and good. His wife, Fran ran the after school program at St. Thomas More and was always the kindest and sweetest lady. It will be difficult driving down to the corner of Biddulph and Ridge, where Lou did a great job. The family has a lot to be proud of. She will also miss him. With Memorial Day coming up, talked about the veterans. Some businesses, stores, and entertainment places offer special discounts to veterans; a co-sponsored HB 173 by local Rep. Anielski allows country recorders to issue county IDs to those meeting special requirements (that will be the same, regardless of county). After the law is on the books a veteran can present his discharge record and identification to the county recorder, and be issued a laminated veteran's ID card to use as proof of status. Remember our vets on Memorial Day and thank them for their service. Everyone's excited about the Republican convention coming, and restaurants are booked; but it's also scary, with extreme security. Some neighboring cities are setting up makeshift hospitals, etc. for what could happen. She's curious, from our Chiefs, what our city is doing, and how it could affect our residents and security. Chief Mielke said he and Chief Zemek have been attending with the County chiefs associations, getting briefings on what Cleveland's plans are. Our first priority will be the City of Brooklyn, making sure we have significant manpower. Our Police Dept. has access to our regional SWAT team (Southwest Enforcement Bureau), their concern for the 19 member communities that belong. Vacations for our Dept. are cancelled, so we'll have plenty of men, and a member of our HIDTA team will be in constant contact with our two fully booked hotels for any issues. Chief Zemek said our fire and EMS will focus on Brooklyn first.

Councilwoman Tomusko said she attended the Republican debate, and walking alone around 1 a.m. to a restaurant, there were police officers everywhere, and she felt completely safe. She is also volunteering for the convention, which she sees as a once in a lifetime event in your own city. She's not concerned at all, they've done it before in other cities, and it's no more controversial than others in our history. She has complete faith in all the security (police, fire, Homeland, everyone).

**Kevin Tanski:** Expressed his sympathy to the family of Lou Changeri. Appreciated Councilwoman Pucci bringing up the last minutes on all the kind words said about Lou; and appreciates Mary-Jo putting those minutes together. Brooklyn School's spring concert was this past week, and it was a huge success, with great support by family and friends. Congratulated Mr. Sullivan and the band staff for their dedication and hard work.

**Barb Paulitzky:** Offered condolences to the Changeri, she's been where they are and know what they're going through, and they're in her prayers. The Laurel Garden Club will hold its annual sale in the grande pavilion on May 24<sup>th</sup> from 4-7 p.m. Proceeds will fund several civic projects, including planting at the Brooklyn Library and Veggie U (teaches 3<sup>rd</sup> and 4<sup>th</sup> graders how to grow and choose healthy foods to eat.) Obesity and diabetes is a major health issue with children, if taught better choices from an early age maybe it can be turned around. All are welcome to come, and buy a plant or two. A new service will be offered at the Senior Center beginning the 4<sup>th</sup> Friday in May from 9a-12noon, and every 4<sup>th</sup> Friday: help with Medicare Claims will be provided, by appointment through the Senior Center, 635-4222. In the 1980s and 1990s she provided these services as an employee of Deaconess Hosp, and recently family and friends needed help with billing issues, and this help is still needed. She spoke with the Mayor and Senior Center, these services will be offered again.

**Tony DeMarco:** Doesn't want to repeat everything, but to the Changeri family, Lou was one hell of a guy, and he did his homework and spoke his mind, which he related to that; gave condolences and said he'll be missed. Offered personal condolences to the family of Helen Adelka, his neighbor growing up; very active in the Historical Society, Senior Center, and will be missed by many. Said he's been quiet for most of year, but has some things to get off his chest. The budget was approved early this year. The process is usually a series of meetings, setting the financial priorities for the city for current and future years. In 2015 meetings started five months prior to approval; that level of discussion didn't happen this year, only having a handful of mtgs. Several of his changes he's pushed for weren't considered, though he concedes his aren't always right ideas. The majority of Council approved it prior to its required March 31, 2016 date. He did not support it, nor did Councilwoman Albier. His opinion is it doesn't position the city for the future (especially with known loss due to American Greetings), or change method of delivering services to residents. It's essentially the same as

that passed in 2015, adding a factor for growth. He doesn't think it's the right budget for the city, at a time when it will be difficult coming up. Commented on selection process of new Prosecutor. A Mayor should have discretion to make changes to staff within parameters of the Charter. He doesn't think the Mayor was forthright with Council in presenting information to them regarding the position, the former Prosecutor, and timeliness of decision-making. The former Prosecutor and changes implemented were not done equitably and fairly. He has the timeline of what lead to the change supporting his comments. He didn't support making the change in position, but majority of Council did. Commented on election of Council President, as required by Charter every year in Organization mtg. Some are out for personal gain, which is not why Council is elected. When unable to elect a President of Council, the new Law Director was consulted, who made it clear Council's elected duties as Council. From Charter, "Council shall elect a President and President Pro-Tem"; it doesn't say may. The Director outlined their duties per the Charter, which are sworn under oath to be upheld, and Councilman Van Kirk and the rest of Council neglected those duties, adjourning two meetings without electing the President for 2016. He voted not to adjourn at both until those positions were selected. The city will face challenges it hasn't in the last 50 years, and he still feels we're not taking proactive steps to position us for what's coming. His business experience says if you delay making decisions, when you have to make them they're more significant and impactful. He hopes we have more meetings to discuss what we'll do to deal with the loss of revenue (Amer. Greetings), and develop a sound economic development strategy.

**Ron Van Kirk:** Again welcomed the Changeri family. Lou definitely spoke his mind; one of his last thing was to get a pay increase for crossing guards, which he did. He will be missed, and is thanked for his service to the city. He'll let the Mayor address Mr. DeMarco's comments for the budget and Prosecutor. For Council President, we've been through it numerous times, with meetings with no conclusions, and Council is at a stalemate. As indicated by the Law Dir., per the Charter, we're continuing as things were from last year, as far as Council Pres. goes. He agrees that it would have been best to do that, but Council came to a stalemate and moved forward, from four months ago.

#### **MAYOR'S REPORT:**

**Mayor Gallagher:** Expressed condolences to the family of long-time resident Angela McGee. Mentioned Lou Changeri because she spoke with his son Mike last week; he said possibly there will be a memorial bench at the corner of Ridge and Biddulph. If it can't happen, come to her and maybe it can go in the park across the street. Thanked Senior Dir. Karen Fratto and senior volunteers for a lovely women's tea last week, it was the first ever here, and it was phenomenal, decorated like a grand ballroom. There's an indoor garage sale in the Senior Center on Saturday from 9a-2p. Brooklyn Library did around half a million dollar renovation, and will have a grand re-opening Wed., May 18<sup>th</sup> at 5p.m. The Memorial Day parade will be Mon., May 30<sup>th</sup>. Ceremonies begin at West Park at 9:30, parade begins at 11 a.m. at Brooklyn High School, travel to Biddulph, north on Ridge, west on Memphis, with ceremonies at Veteran's Memorial Park at City Hall, and a gather and grill afterwards sponsored by the Police and Fire Depts. (proceeds to Metro Hosp. Burn Unit and Brooklyn's Shop with a Cop Program). All are welcome. Families of military personnel are invited to participate in the parade and ceremony; call Tina at 216-635-4283, and also for any resident group interested in marching in the parade by May 26<sup>th</sup>. Bike riders are invited to decorate their bikes, children aged 14 and under are required by law to wear a protective helmet with a bicycle, skateboard, in-line or roller skates. It's been in the news the NEORS is looking to raise their rates, a 9.5% increase over next five years. It's not officially voted on yet, but will likely be passed in June without problem. They'll hold informational sessions on the rate increase, as well as ways to sign up for rebates; closest to us is on May 25<sup>th</sup> from 5-7 pm at CCC-West campus. Councilwoman Tomusko mentioned the communication, and she appreciates it, and doesn't think any director took it negatively. Communication's one of the most important attributes to do as public servants, and she saw something that was missing, and it's a good thing. The directors were receptive, and none fought against it. The Budget process. It's been months after it's passed, and she wishes Councilman DeMarco would have expressed his feelings on the floor then. The Budget was about \$600,000 less than the previous year. We're not losing American Greetings until Sept. of this year. That amount of revenue was minused for half a year in the budget, and were still \$1.5M over in our revenue for this budget. For long term financial planning, we retain Matt Stuczynski, a municipal finance advisor, and went over rates of loans (one of Councilman DeMarco's biggest upsets – he wanted to keep our loan without paying off 20% on it.) We decided on keeping the 20% mark everyone agreed upon two years ago, and a year ago, on our advisor's advice; especially since changing the process could be a flag in our



market, which we do not want to do at this time. So we took the advice of a 30-year veteran in the field, and she's sorry Councilman DeMarco doesn't like that decision. Yes, there are tough decisions that will have to be made. Fortunately we have \$3.5M in the Budget Stabilization Fund because we knew this was going to happen; and there is other money we will have to tap into. Right now we're \$11M in General Fund, and we'll have to decrease that, and make moves. She doesn't want to make it a doomsday event, that it will happen next year; we have some time to plan. She promised Council that this summer there would be planning sessions for that. She's not going to say we're going to cut 20% across the board, because that doesn't make sense. There will be sessions, and there will be talks about it. It's unfortunate some Councilpeople don't want to come to her office, and don't want a conversation, but want to bring it all in public – because why? What does it accomplish; what does the conversation accomplish? Nothing. She hopes they can get on the same page and move the city forward.

### **DIRECTORS REPORTS:**

Rec. Mgr. McGinty: Memorial Day parade info already given. Spring Swizzle will be Sat., May 14<sup>th</sup> at 7 p.m., a skating exhibition by the Brooklyn Blades on Ice. Cost is \$3/person (9+), and seniors and under 9 years are free. This is the learn to skate children who are part of the exhibition. For information on participating in the parade call Tina at 216-635-4283 by May 26<sup>th</sup>.

Service Dir. Verba: It's the start of the construction meeting. A pre-con mtg. will be held tomorrow for the Memphis Ave. and Tiedeman right turn lane projects, with construction starting middle of next week or sooner. Dates will posted on the city's website after the meeting. If Council approves the extra costs tonight, the street program will continue. Heather and Autumn Lns. are complete. CATTS Const. is on Brookhigh and will start Apple Creek tomorrow; Apple Creek residents have permission to park on Rabbit Run and Pepper Ridge during construction. Ronyak Paving started milling on Sunny, Saybrook and Vandalia today, and will complete W. 62<sup>nd</sup> tomorrow. Those residents should follow the no parking signs and have rubbish out for pickup by 6:30 on collection day. Try to avoid the areas during construction. Ridge Rd. sewer repair update, target date for completion is July 3<sup>rd</sup>. The city recycled 40.38% of refuse, which included 730 tons of recyclables and 1,449 tons of organics. He complimented the residents for their efforts during 2015, but noted there has been a decline for this year. Please recycle. For questions call 635-4232. Councilwoman Pucci asked if the pre-construction mtg. for Tiedeman right turn had not taken place yet. Dir. Verba said there is utility work being done by the gas company right now. She said that was her question.

### **REQUESTS:**

Request from Mayor Gallagher to confirm the appointment to the UH Parma Medical Center Board of Trustees of Andrea Wittine, to fill the vacancy of Jacqueline Patton, who resigned; the term expires June 2018. Ms. Wittine is a graduate of Ohio University with B.S. in Human and Consumer Science, worked at Jones Day Law Firm the last nine years as real estate paralegal, and recently started her own business, The Cleveland Lunch Mix, owns a home and has lived in Brooklyn since 2007. **MOTION** by Van Kirk, second by Tanski to confirm the appointment. Councilwoman Pucci thanked for the information, it was on the last agenda but they didn't have background information then. Reiterated in the future to do the best we can to put out information on various positions so interested and qualified residents can put their name in the mix. **VOTE RESULTED:** *To Confirm:* Yes: Pucci, Tanski, Paulitzky, Van Kirk. Abstain: Tomusko, Balbier, DeMarco. No: None. **(CONFIRMED)**

Request for a Liquor Permit stock transfer for AMC Theater. **MOTION** by Pucci, second by Tanski for a position of no objection. **VOTE RESULTED:** *No Objection:* Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, DeMarco. Abstain: Van Kirk. No: None. **(NO OBJECTION)**

Request for a Liquor Permit transfer from St. Theodosius Orthodox Cathedral to Cleveland Hospitality Professionals at St. Theodosius. Mayor Gallagher asked Comm. Kulcsar to advise Council of recent conversation. She said the city has no objections to this, but instead see why the city is asking for 'no position' on this matter. Comm. Kulcsar said some of it is confidential; but in conversations with the St. Theodosius Bd. of Directors he's comfortable they'll make the right decision on how to handle this license.

Their position is that it will always be under their control, whether it transfers to Cleveland Hospitality or not. Councilwoman Pucci expressed her concerns last week in a conversation, and not saying anything that can't be said publicly, asked if anything has changed? Mayor Gallagher responded at this point it's safe to say taking 'no position' would be the best course of action. Comm. Kulscar said they do have legal counsel that specializes in liquor permits, and they don't want to lose it, they are basically doing this to make the management of the facility as easy as possible, with the licensing. Councilman DeMarco asked the Chief is a new business can come in and obtain a new liquor permit. Chief Mielke said it depends on what kind of permit a bar would have. Dir. Butler said the permit transfer with this application is D1, D2 and 3, which is on-premises consumption of beer, wine and liquor. Some hesitation going on is there is some information that says it's possible this particular application in Columbus may not go through; it could be withdrawn, an issue with liquor control, not sure. It doesn't necessarily mean the city is in a position to object. The deadline, extended deadline, is May 16<sup>th</sup>, to either take a position or not take one on this transfer. We only have a limited period of time to respond to the division; tonight is our last meeting before the deadline, which is why our position is that Council, in light of uncertainty, not take any position. This would mean we aren't endorsing it, we're not objecting to it, we are merely allowing whatever happens in Columbus to go forward. Councilman DeMarco wanted to know (for the residents) if there were new licenses if a bar wanted to open in Brooklyn; or how does the state determine if a license is added to a municipality? Dir. Butler said it may depend on the type of license (ex., if Brooklyn is considered saturated). A new permit was issued for Starbucks, and our investigation showed for that particular permit there was no saturation in Brooklyn; however, D1, D2, D3 (most lucrative types of permits), might be different. He will research and figure it out. It's a function of population and number of other permits issued in the city. Councilman DeMarco said he would appreciate that kind of general information. Councilwoman Pucci wanted to clarify, if some or many of Council object because of certain things going on with this, is it accurate to say we don't have a legal defense to go on record to object to the transfer? Dir. Butler said it would be accurate to say the city doesn't have a legally defensible statutory reason to object; though we have various reasons why we have concerns over the operation of this business. The statutes governing municipalities' objections to transfers are rigorous and require a heightened standard. So the Administration doesn't recommend Council formally object. If Council would do that a written Resolution would have to be prepared outlining reasons for objection first. Int. Pres. Van Kirk said it's the Administration's recommendation Council take no position at all at this time. Dir. Butler said from his standpoint that is correct.

Request from the Police Dept. for a grant application regarding getting matching grants for a police officer. **MOTION** by Pucci, second by Van Kirk to authorize the grant application. **VOTE RESULTED: To Approve:** Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(APPROVED)**

Request for Change Order for 2016 Streets Program in the amount of \$215,000. It takes the original contract amount from \$334,612 to \$549,612 due to increases on six streets. **MOTION** by Pucci, second by Tanski to approve the Change Order. **VOTE RESULTED: To Approve:** Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(APPROVED)**

#### **LEGISLATION:**

**ORDINANCE 2015-77**, Establishing the full-time position of Economic Development Director. **(IN ABEYANCE)**

**ORDINANCE 2016-27**, Providing for the issuance and sale of \$356,496 in notes, in anticipation of the issuance of bonds to pay costs of resurfacing certain streets to be approved by City Council, together with all work incidental thereto, and declaring an emergency. **MOTION** by Pucci, second by Van Kirk to adopt. **VOTE RESULTED: To Adopt:** Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, Van Kirk. No: DeMarco. **(ADOPTED)**

**ORDINANCE 2016-28**, Providing for the issuance and sale of \$303,504 in notes, in anticipation of the issuance of bonds to pay costs of improvements to city buildings, including parking therefor, and declaring an emergency. **MOTION** by Pucci, second by Tanksi to adopt. **VOTE RESULTED: To Adopt:** Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, Van Kirk. No: DeMarco. **(ADOPTED)**

**ORDINANCE 2016-31**, Establishing Section 1360.32, Foreclosure Filing Notification, of the Codified Ordinances of the City of Brooklyn. **MOTION** by Pucci, second by Tanksi to adopt. **VOTE RESULTED: To Adopt:** Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(ADOPTED)**

**ORDINANCE 2016-32**, Establishing Chapter 1362, Certificate of Inspection at Point of Sale; and Amending Section 1360.24, Repair of Code Violations, of the Codified Ordinances of the City of Brooklyn. **MOTION** by Pucci, second by Van Kirk to hold in abeyance. **VOTE RESULTED: To Hold in Abeyance:** Yes: Tomusko, Pucci, Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(IN ABEYANCE)**

**ORDINANCE 2016-37**, Establishing Section 1360.33, Vacant Property Registration, of the Codified Ordinances of the City of Brooklyn. **(SECOND READING)**

**ORDINANCE 2016-38**, Establishing the position of Part-time Inspector within the Building Dept. and repealing the position of Electrical Inspector. **(SECOND READING)**

**ORDINANCE 2016-39**, Amending Ex. A of Ord. 2016-13, providing for the compensation for the part-time, full-time, and Administrative employees (non-bargaining) of the City of Brooklyn, Ohio. **(SECOND READING)**

**ORDINANCE 2016-40**, Authorizing inter-fund transfers and advances during 2016. **(FIRST READING)**

**ORDINANCE 2016-41**, Authorizing the purchase and installation of carpeting at the Brooklyn Community-Senior Center from Continental Office Floors for a total of \$39,778.60 through the State of Ohio Govt. Pricing. **(FIRST READING)**

**ORDINANCE 2016-42**, Authorizing the purchase of 35 TASER weapons and accessories for use by the Police Dept. from Taser Int. for \$36,010.19. **(FIRST READING)**

**ORDINANCE 2016-43**, Repealing Sect. 1501.06 Fire Safety Watch of the Codified Ordinances of the City of Brooklyn, Ohio. **(FIRST READING)**

**ORDINANCE 2016-44**, Amending Chapter 713 Public Social Functions of the Codified Ordinances of the City of Brooklyn, Ohio. **(FIRST READING)**

Int. Pres. Van Kirk said there will be an executive session. Mayor Gallagher said she'd like to have included the Law Director and our financial advisor Matt Stuczynski. **MOTION** by Pucci, second by Tanski to adjourn to executive session for the purposes of discussing personnel within the Finance Dept. with the Mayor Law Director, and municipal finance advisor Mr. Stuczynski. **VOTE RESULTED: To adjourn to executive session:** Yes: Tomusko, Pucci, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

**MOTION** by Tomusko, second by DeMarco to reconvene. **VOTE RESULTED: To reconvene:** Yes: Tomusko, Pucci, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(RECONVENED)**

There being no further business, **MOTION** by Pucci, second by Van Kirk to adjourn. **VOTE RESULTED: To Adjourn:** Yes: Tomusko, Pucci, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(ADJOURNED)**

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Clerk of Council

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President of Council